Mr. Quinlan J. Shea, Director
Office of FOIA/PA Appeal
Department of Justice
Washington, D.C. 20530

5/10/79

Dear Mr. Shea,

In writing you two days ago I forgot that the FBI had supplied me with a few records from which the name of Harrell McCullough was not withheld. You had testified it would do so.

What you did not testify to and is the fact that this was three years too late-three years after my appeal of that withholding - and at a time when not to do so might have irritated the judge because McCullough was a live witness before the House assassins committee.

I am responsible for bringing McCullough's identification and career as police informer and provocateur to public attention, beginning immediately after Mr. Adams' testimony before the Church committee. Thereafter the OIR did not entirely suppress his name and if in fact appears in the OIR's work, is without the full story being told.

Despite the fact that it was within the public domain, as it was even earlier in court records of which the FBI also knew, the FBI persisted in withholding his identification under spurious and unnecessary claim to exemption even after I informed it.

So permitting this minor chip in the enduring stone wall is no big deal. Obviously it represents no worthwhile information to me. It does serve the important purpose of eliminating one of the many confusions the FBI always builds in to its incomplete disclosures in those cases in which its position is sensitive. By this little bit the historical records is less confusing.

In a way the FBI did not intend these belatedly supplied records have another value: they disclose the fact that the FBI is deliberately wasting everyone's time and a great amount of money in a systematic effort to overburden the courts and requesters and to build phoney statistics while making any compliance that much more cumbersome.

These records disclose that there never was any reasonable basis for withholding McCullough's name, never was any need to do so, and simply was no excuse for continuing to do so after I informed the FBI three years ago that it was all public knowledge.

As you should be aware, once the House assassins committee followed up on my earlier work with regard to McCullough, the Invaders and the Sanitation strike, all within the request in this case (and added nothing of significance to what I had brought to light) it would have been pretty risky to continue the McCullough withholdings after he appeared as a committee public witness.

In a similar case, that of James A. Hilltoer and Willie Somerset, both long dead and neither a committee witness, the FBI continues to withhold and you haven not acted on my appeals. Nor has anyone in the Department or FBI had any interest in relieving the false swearing about this and other such matters by SA Beckwith, not even after I displayed two fat volumes of records released to another and later requester. As of today the FBI is still withholding what it disclosed many than a decade ago and I published a decade ago. My appeal included copies of FBI records I printed in facsimile. It showed that under FOIA the FBI withholds what it did not withhold before FOIA. And wasted time and money for all parties and builds its own phoney statistics, the FBI answer to all problems. So while I should not have forgotten this the limited and belated disclosure of what was already in the public domain is no big deal and served FBI self-interest.

Sincerely,

Harold Weisberg